

1-1 By: Rodriguez S.B. No. 1712  
 1-2 (In the Senate - Filed March 8, 2013; March 25, 2013, read  
 1-3 first time and referred to Committee on Criminal Justice;  
 1-4 May 9, 2013, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 4, Nays 3; May 9, 2013, sent  
 1-6 to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Whitmire	X			
1-9 Huffman		X		
1-10 Carona	X			
1-11 Hinojosa	X			
1-12 Patrick		X		
1-13 Rodriguez	X			
1-14 Schwertner		X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1712 By: Rodriguez

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the punishment for the offense of prostitution.  
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-21 SECTION 1. Subsection (c), Section 43.02, Penal Code, is  
 1-22 amended to read as follows:

1-23 (c) An offense under this section is a Class B misdemeanor,  
 1-24 except that the offense is:

1-25 (1) a Class A misdemeanor if the defendant [~~actor~~] has  
 1-26 previously been convicted one or two times of an offense under this  
 1-27 section;

1-28 (2) for a defendant who received or was to receive a  
 1-29 fee:

1-30 (A) a Class A misdemeanor with a minimum term of  
 1-31 confinement of 90 days if the defendant has previously been  
 1-32 convicted three or more times but fewer than eight times of an  
 1-33 offense under this section; or

1-34 (B) a state jail felony if the defendant has  
 1-35 previously been convicted eight or more times of an offense under  
 1-36 this section; or

1-37 (3) for a defendant who paid or was to pay a fee:  
 1-38 (A) a state jail felony if the defendant [~~actor~~]  
 1-39 has previously been convicted three or more times of an offense  
 1-40 under this section;

1-41 (B) [~~(3)~~] a felony of the third degree if the  
 1-42 person with respect to whom the fee was paid or to be paid  
 1-43 [solicited] is 14 years of age or older and younger than 18 years of  
 1-44 age; or

1-45 (C) [~~(4)~~] a felony of the second degree if the  
 1-46 person with respect to whom the fee was paid or to be paid  
 1-47 [solicited] is younger than 14 years of age.

1-48 SECTION 2. The change in law made by this Act applies only  
 1-49 to an offense committed on or after the effective date of this Act.  
 1-50 An offense committed before the effective date of this Act is  
 1-51 governed by the law in effect on the date the offense was committed,  
 1-52 and the former law is continued in effect for that purpose. For  
 1-53 purposes of this section, an offense was committed before the  
 1-54 effective date of this Act if any element of the offense occurred  
 1-55 before that date.

1-56 SECTION 3. This Act takes effect September 1, 2013.

1-57 \* \* \* \* \*